IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

Bail Appl..No. 968 of 2007()

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CRIME NO.72/07 OF NILANBUR POLICE STATION

: PETITIONERS/ACCUSED:

1. VIJAYALAKSHMI,
   TEACHER, AGED 38 YEARS, W/O.LATE RAJAN,
   PEVUNGAL HOUSE, VEETTCHAL, RAMANKUTHU,
   NILAMBUR R.S.POST, MALAPPURAM DISTRICT.
   (NILAMBUR POLICE STATION LIMITS).

2. PRABHA LOJINI, AGED 39 YEARS,
   W/O. VIJAYAN MANNARTHODIKA HOUSE,
   CHAKKALAKUKTH NEAR NSS HIGH SCHOOL,
   NILAMBUR, MALAPPURAM DISTRICT.
   (NILAMBUR POLICE STATION LIMITS).

BY ADV. SRI.T.K.SAIDALIKUTTY
SRI.P.A.MOHAMMED ASHROF
SRI.LAL K.JOSEPH
SRI.A.A.ZIYAD RAHMAN

RESPONDENTS:

1. STATE, REPRESENTED BY THE
   SUB INSPECTOR OF POLICE, NILAMBUR.

2. STATE OF KERALA,
   REPRESENTED BY PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 968 OF 2007

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DATED THIS THE 19th DAY OF FEBRUARY, 2007

O R D E R

Petitioners who are two ladies and accused in Crime No.72/07 of Nilambur Police Station for an offence punishable under section 2 of the Prevention of Insult to National Honour Act, 1971, for allegedly foisting a national flag upside down on the Republic day, seek anticipatory bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioners and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs.10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

2. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

3. Petitioners shall not commit any offence while on bail.

4. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,JUDGE.

dsn